

CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES

Special Meeting of Thursday May 29, 2014
City Fire House 1404 Vallecito Road
Angels Camp, California

CALL TO ORDER

Chair Broeder called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Chair Broeder, Vice-Chair Rudolph, Commissioner Behiel,
Commissioner Gonzalez, and Commissioner Collins

Commissioners Absent: None

Staff Present: Planning & Building Director David Hanham, City Engineer
David Myers, City Attorney Derrick Cole and Deputy City Clerk
Jennifer Preston

APPROVAL OF AGENDA

Correct Agenda

Page 2, Under Commission Action, 4th line down, add "sq.ft." after "15,416".

**MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER
COLLINS AND CARRIED 5-0 TO APPROVE THE SPECIAL AGENDA AS AMENDED.**

PUBLIC COMMENTS

PUBLIC COMMENT OPENED AT 6:02 P.M.

Amy Augustine from Augustine and Associates stated that she wanted to let everyone know that there will be an open house on June 12, 2014, from 4 pm to 6pm, at the Firehouse to discuss the Housing Element that the City is updating.

PUBLIC COMMENT CLOSED AT 6:04 P.M.

PUBLIC HEARINGS

2. Public Hearing - Resolutions 2014-07 and 2014-08 Resolutions for a General Plan Amendment, Rezone, Site Plan, Conditional Use Permit, Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Program for the Mark Twain Health Care Center located at 170 Dogtown Road, APN 058-017-023 & 057-021-024.

Planning Director Hanham presented that the staff report along with a PowerPoint presentation of the new building and the main focuses of the General Plan Amendment, Rezone, Site Plan, Condition Use Permit, Initial Study, Mitigated Negative Declaration and the Mitigation Monitoring Program for the Mark Twain Health Care Center located at 170 Dogtown Road. Staff recommends that the Planning Commission adopt Resolution 2014-07 a Resolution approving a Conditional Use Permit, Site Plan, Mitigated Negative Declaration and Mitigation Monitoring Program for Project 13-33 Dignity Health Mark Twain Medical Center located at 170 Dogtown Road for APN's 057-021-024 and 058-017-023. Staff also recommends that the Planning Commission adopt Resolution 2014-08 a Resolution recommending approval to the City Council a General Plan Amendment, Rezone, Mitigated Negative Declaration, Initial Study, and Mitigation Monitoring Program for project 13-33 Dignity Health Mark Twain Medical Center located at 170 Dogtown Road, APN's 057-021-024 and 058-017-023.

Commissioner Behiel questioned whether or not the development happens, is there anything that is being done to help solve the level of service of the Dogtown Road and the Hwy 4 intersection.

Planning Director Hanham stated that the City and Caltrans are working on a Partnership Planning Grant that will be looking at solutions for the Hwy 4, Hwy 49, and Dogtown intersections. There will be alternatives to help with those intersections within the next 18 months.

Commissioner Gonzalez questioned that there are discrepancies with the staff report and environmental document with different numbers for area for the site.

Planning Director Hanham stated that there are differences because part of the one parcel runs under the street so it is the difference between Gross and Net area.

Commissioner Gonzalez questioned the reason for changing the zoning to Central Commercial instead of Suburban Commercial.

Planning Director Hanham stated that Central Commercial Zone District for midtown businesses, (i.e. the banks, professional offices, etc.) and it also accommodates higher density residential within the district.

Commissioner Rudolph questioned how far the sidewalk would run along Dogtown Road and will the widening of the road be to both sides of Dogtown. Will a fire truck be able to turn onto Dogtown Road?

Planning Director Hanham stated that the sidewalk will run the length of the property of the site along Dogtown Road and the widening of the road is all on the side of the development. A fire truck will have the same access to Dogtown Road as it already has today.

PUBLIC HEARING OPENED 6:50pm

Damon Doss-Executive Director of Mark Twain Health Care District

Mr. Doss stated that he would like to thank the City staff and consultants that have worked on this project. Mark Twain Health Care District will be buying the property, which in turn will lease the property to the Mark Twain Medical Center Corporate Board. The board is a non-profit 7-member board.

Nate Morgan-Aspen Street Architects

Mr. Morgan stated that the project itself has already gone through many changes trying to incorporate colors and building materials from the local commercial areas. This will be a 15,000 sq. ft. building and the architects have tried to minimize the footprint by making it a two-story building. The building will have a family medical center, women's services center, and imaging area for x-ray and things of that nature, a specialty center, physical therapy, a conference area, and some open space for further expansion.

Mr. Doss stated that at this time there is no immediate plan for the vacant land, but the hospital is looking to possibly put in a trail system for patients, family members and staff to be able to use.

Amy Augustine-Augustine & Associates

Ms. Augustine stated she completed the environmental document for the project and they found a miners ditch on site but found it still ok to move forward on the project. With changing the land to Central Commercial the City is gaining housing area because you are allowed to have a denser populated area with the Central Commercial zone.

Melissa Raggio-1011 Dogtown Road

Ms. Raggio stated she is not against the hospital but is concerned about the location. Adding the development will compound the issues that already exist at the Dogtown intersection. She believes that the environmental document does not address the impacts to the residents of Dogtown Road and local neighborhoods. There are hay trucks, cattle trucks, wineries, and an olive orchard, how will these larger trucks and local established businesses be rerouted. Gardner Lane currently has a 7-ton weight limit that is also a substandard road; these large trucks cannot use Gardner Lane. There is not enough turning radius for larger trucks onto Murphys Grade Road. She believes that the City's Planning Department has not thought about the traffic impacts that the development would bring to this neighborhood. She drives her daughter every morning to school and takes a left onto Hwy 49 from Dogtown Road and it is already hard and unsafe to make that turn. The City has been pro-economic development the last couple of years, and she wants to know if there were any letters sent to Shell gas station owner, the two wineries, the cattle ranchers, and the hay ranchers out Dogtown Road. To her knowledge there have been no letters sent, no workshops, and no outreach to the community. Ms. Raggio stated that there is a perfect commercial spot on the corner of Stockton Road and Angel Oaks Drive, was this property even considered she questioned. She believes that the City needs to be responsible and to protect its

citizens and travelers. She sees that the City spends a lot of time advocating for developers and wishes that the City would spend that much time advocating for her and other residents. This is nothing against Dignity Health, she has three kids and has spent a lot of time at the Mark Twain Hospital, but she would like to see the commission not approve these two items, or to continue them and put on some workshops and direct City staff to work with Caltrans to find other alternatives for the intersection. Did staff look at timing signals or other accesses to Hwy 4 she asked? It is the City's responsibility to serve and protect its citizens and to make local planning decisions. The City should be planning and working with its citizens instead of just passing things those residents will have to live with.

John Airola-1375 Dogtown Road

Mr. Ariola stated he understands that there will only be a right turn in and out of Dogtown, with his big trucks there is no place for them to make a u-turn to go south on Hwy 49, we can't go through Middleton's, or make a u-turn in front of Cal Fire like some people, and we can't go down by Cal Gas to make a u-turn on someone's private property, there is no place that is safe or legal for us to turn around in. A couple of years ago Caltrans was going to make Clifton Lane a through street from Dogtown but that never happened. If his trucks are coming south on Hwy 49 they can't turn left onto Dogtown and they can't make a u-turn at the light because there is not enough space and they can't turn around at Calaveras Lumber.

Commissioner Collins stated that the intersection is already dangerous when you turn left, and he believes that Caltrans will make it a no left turn sooner or later even without the development, what would your trucks have to do then?

Mr. Ariola stated that they would go down Gardner Lane at a very slow speed until they get a stack of tickets for being over the weight limit and have to go fight them in court because there is no other way out. Gardner Lane already has increased traffic during peak hours because people don't want to have to wait at the light.

Stewart Raggio-1011 Dogtown Road

Mr. Raggio stated cars and regular trucks will be able to make u-turns but the larger trucks can't. They make their money with these trucks and they are not going to go all the way out to Frogtown to turn around, they will go through Calaveras Lumber to make the turn. If they use Gardner Lane then they will have problems with little kids running out in front of them and these trucks don't stop fast. If this development happens it will tie the hands of the businesses out on Dogtown Road. This is nothing against the hospital because he believes that the City needs the hospital here, but he is against the traffic study and it needs to be looked at again for alternatives. The City needs to fix the current problem at Dogtown before they add more issues to it. The Sonora Regional building causes many problems also with it traffic going in and out. His advice would be to continue these items and do more of a traffic study and get together with Caltrans to solve this issue because he thinks that this won't work at all. Mr. Raggio questioned if Amy Augustine works for the City.

Ms. Augustine stated that she was hired by the hospital to do the environmental document.

Mr. Raggio asked if Ms. Augustine is under contract with the City and is it a conflict of interest.

Ms. Augustine stated that she is under contract with the City for other items and before she got involved with the hospital she researched it for her own knowledge and this is not a conflict of interest.

Mr. Raggio stated that he urges the Planning Commission to table these issues, there are a lot of people here tonight and it's not even half of the Dogtown residents, if these items go to Council then he will make sure that the all of Dogtown and Gardner residents will attend the Council meeting.

Anita Valenti-20 S. Main Street and also owns property on Dogtown Road

Ms. Valenti stated the City signed an agreement with Caltrans that there would not be any access from the bypass to Hwy 4, but that was a long time ago and the City has grown a lot since then. Surely, Caltrans doesn't expect there never to be access off of Hwy 4 and for all of the traffic for the City to run through one traffic light. Caltrans needs to change the speed limit to 35 mph near the intersections, allow an exit onto Hwy 4 from the shopping center across from Dogtown, and to put another exit from this new development onto Hwy 4. This can be done for little expense. The two accesses would take a lot of pressure off of the intersection at Dogtown.

Dan Cawcek-1401 Dogtown Road

Mr. Cawcek stated that the intersection is a mess and it is a mess on both sides of the road not just the Dogtown side. People misuse that intersection now with cars going in backwards, and going into exits. The residents did not cause this problem and he believes that the intersection just was not designed well to begin with. There should be an exit out the west end of the shopping center onto Hwy 4. Mr. Cawcek stated that he is all for the development but the intersection needs to be fixed before a shovel hits the ground.

Karen Boyd-805 Dogtown Road

Ms. Boyd stated that anytime there is a shutdown of Hwy 49, all of the emergency traffic is routed through Dogtown currently, then to Gardner Lane ending up at the high school. This is the third time they have seen a proposal for the clinic. She believes that it is a wonderful project but what happen to the proposals near Rabobank and Stanislaus Ave. Stanislaus Avenue would have been great, and the City was in the process of getting a grant to help pay for the traffic light that was needed there. These lots are sitting vacant and will anyone be able to develop those lots if there are issues now with them, how can that be for the good of the City.

Sandra Gran-139 Dogtown Road

Ms. Gran stated her property would be directly affected by this development because her property lies right across the road from where an exit looks to be. Where will the garbage be at on the property she asked? She is concerned about the narrowness of the road and if there will be on street parking allowed because if not her tenants will not have anywhere for people to park when they come over. She believes that the building will not fit into the neighborhood because of its size, with only small single-family dwellings across the street from it. Her current doctor that is affiliated with Sonora Regional is a women's health doctor and it was stated earlier that the City did not have any women's health facilities.

Walter Valenti-20 N. Main

Mr. Valenti stated that he would like to hear from Caltrans on the safety of that intersection with making u-turns there.

Stuart Raggio-1011 Dogtown Road

Mr. Raggio stated that he stopped and talked to the Shell gas station owner about the issue and this will directly affect people trying to get to his gas station coming from both directions.

Mr. Doss stated that he wanted to thank everyone for their comments and many of them he has already heard before and have been talking the City and Caltrans about them. He can address the issue about the garbage for the building, it will be located behind the building close to Hwy 4 and should not be seen by the Dogtown travelers. The structure is larger than the homes across the street but directly across from Dogtown there is a three-story building. It was never the intension of the hospital to change access of Dogtown. The City and himself have met with Caltrans over half a dozen times trying to find solutions for the traffic study. He doesn't know about what notices the City has done but there has been 5 articles that he knows of in the local paper about the project. The site near Rabobank was never really considered a good site and the Stanislaus property fundraising fell short and after doing the math it would cost double to construct at Stanislaus than at the Dogtown site. The Stanislaus site was a smaller building and had only the family medical and women's health. The Dogtown site is much bigger and adds radiology, and internal medicine and hopefully more in the future. For them, Dogtown was the better choice for everyone that is involved.

John Gedney-Caltrans District 10

Mr. Gedney stated there has been numerous meetings regarding the project and traffic study that Caltrans was able to make their comments on. On this project Caltrans is a commenting agency and the project comes through our office by CEQA and Caltrans has the opportunity to comment on the project. Caltrans comment was that the applicant needed to do a traffic study and from there we tried to work out solutions. Eventually the traffic on Hwy 49 will increase and will make Caltrans become a regulatory agency and Caltrans would have to find a solution to the issue with or without this development. Caltrans will not just put in a barrier on Hwy 49, we would look at all of the traffic that runs through there and if we did put a barrier up, Caltrans would have to find an alternative for the larger trucks that use that area. This project is not a Caltrans project, it is a City project, we can only comment on the project. If the City doesn't comply with what the traffic study says then Caltrans could possibly bring a lawsuit against the City. Caltrans wants to work with the City and find the best solution that we can, and at this time it is to make it a right in and right out only at Dogtown Road.

Chair Broeder asked what Caltrans would do if this project doesn't go in and bunch of housing goes into that property which trips the level of service to "F", what would Caltrans do then to accommodate the larger trucks.

Mr. Gedney stated that if houses went in to that property we would all still be here talking about the same issue because of the traffic study. At this point Caltrans will not do anything but if this development does happen and these trucks have to go out a different way, it could cause an operational safety issue that would make Caltrans take action and to try and find a solution.

Commissioner Behiel asked if the project was a Caltrans project you would not do the right in and right out without providing another way for the trucks to get through because of liability to the State, would it not be a liability for the City if we allowed the right in and right out only, if it is causing problems somewhere else.

The City Attorney stated that you cannot cut off someone's only means of access and could be liable if they could not get out without paying some type of compensation. In the law there are degrees of the issue, and the City would have to see what truly happens by making that a right in and right out only. It is a question of fact if the trucks will be able to use Gardner or not.

Commissioner Behiel asked if there is a weight limit on Gardner.

Dave Myers, City Engineer

Mr. Myers stated that weight limits on road are put there for the time it takes to fix the road. The City can review the weight limit to see if it could be changed. The weight limit is there to protect the infrastructure.

Commissioner Behiel stated that the weight limit on Dogtown is 16 tons, to 31 tons depending on what kind of vehicle you are in.

Mr. Myers stated that if the City sees a lot of cracking on the road or potholes then weight limit is put on the road so that you have time to fix it. Weight limits only are for through trucks and not for trucks that have a use on that road such as the garbage trucks or hay trucks on Dogtown. Staff will have to check on the roads to see if the weight limits are appropriate.

Commissioner Collins stated that after reading the traffic studies there has been about a 40% increase to the traffic, so it is his belief that Caltrans will have to do something soon to put controls on the issue. Right now at peak traffic times people are darting out and making left turns and almost getting hit, so it is an unsafe intersection currently and the right in and right out is needed.

Mr. Gedney stated that if something happened that triggered a study it would start by a SHOPP project within Caltrans to look at the safety issues and Caltrans would accommodate all traffic movements, but the timing without a project going in is unknown at this time.

Ken Anderson-Traffic Study Consultant

Mr. Anderson stated the forecast for the traffic increasing on Hwy 49 for the next 20 years is a 70% increase and 120% increase on Dogtown of current traffic conditions. The mitigation that was considered for this project is thought to be best solution for the current traffic conditions. This issue happens all over when traffic signals are put in, the intersection closest to the signals always has problems, and this happens in every town.

Chair Broeder asked in the traffic study is there any visual observation to see what types of vehicles are using the road.

Mr. Anderson stated that no visual counting was done with this project. They don't design u-turns for large trucks because the large trucks will not make them, the intersection would have to be huge.

Commissioner Behiel asked if the commission allows the development to happen without changing the Dogtown access, what would happen.

Mr. Anderson stated that the CEQA document and the Traffic Study runs off of peak hours and not an average of what are going through the intersection. The City could elect not to require the mitigation but that could cause liability issues.

Mr. Doss stated that the applicant has spent many hours on the project and he believes that it is important for the commission that this project has been well thought out and our initial application did not want to have the right in and right out. No one likes to change how they have been conducting their lives. They believe that this is the best possible solution for the current problems. There are still design issues that they are working on and they are probably a year and half away of even starting to build. They believe that this will give enough time to the City and Caltrans to fix the traffic issues. Caltrans did video work for a couple of days to look at the traffic and it showed the same issues we are discussing tonight. There is a history of the accidents caused by people turning left at that intersection through the Highway Patrol Office. Caltrans is endorsing a right in and right out with a u-turn with a median to stop traffic. Mr. Doss urges the approval of the applications and there are still more hurdles to overcome before things can be started. The hospital would like to buy the property so that the process can start.

Chair Broeder stated that if nothing happens but eventually Caltrans decides to look at the problem, is there a time frame at what point that would happen.

Mr. Anderson stated that over the 20 years the traffic would increase about 70% causing 5000 new trips. The hospital going into Dogtown would only be causing about 250 of those new trips. So it is rounding about to 1 year out of 20. The accidents that have been happening have happened within 700 feet of the signal.

Chair Broeder stated that the traffic generated by this project is only about 5% so it really doesn't make any difference when that intersection gets changed.

Mr. Anderson stated that the intersection wouldn't be changed by the traffic counts it would be because of an accident, and with increased traffic there will be an increase in accidents. The planning grant that staff talked about and the City's fee program puts money towards traffic issues.

Mr. Gedney stated that if the City chooses not to follow the mitigation measures in the environmental document then Caltrans will comment on that, about the increased liability that your City and Council placed on the citizens of the state. Caltrans is only concerned with through traffic on the state highway systems; we are not concerned with access or local development.

Commissioner Gonzales stated that she has a liability question. She wants to know if this project doesn't move forward but another project happens, such as the poor man's quarry gravel mine, and they need to turn left onto Hwy 49 from Dogtown Road but the City has blocked that turn. What is the City's liability.

Mr. Cole stated that possible future businesses are another matter all together than existing businesses. If you take someone's only access to a highway, there is case law that states that is taking without compensation. Every situation varies upon what facts there are to that unique issue. The ultimate question in this situation is there another access point for the people of Dogtown Road, even if the route takes longer. Mr. Cole stated that he can't give an ironclad answer but what he can say is that it is important for the City to provide access for the residents. The City doesn't want to violate CEQA by not putting in the median for denying left turns. If the City's removes that mitigation then the Negative Declaration is void and would need to have an EIR, which might come up with the same mitigation. Mr. Cole's recommendation to the commission is perhaps the City needs to get more facts on what the route would be and to continue this hearing. The City needs to address both ends of the problem if Dogtown is denied left turns. The City also cannot waive the safety of the public to let people continue to make left turns at a dangerous intersection.

Chair Broeder asked if there were any more public comment.

Anita Valenti-20 S. Main

Ms. Valenti questioned if Caltrans might give access off of Hwy 4 or the bypass away from the stoplight to help alleviate traffic problems.

Mr. Gedney stated that there is a process in place for Cities to apply for access and it is one of the issues that will be brought forward with the Partnership Planning Grant.

Jeff Johnson-1253 Lake Side Drive

Mr. Johnson stated that he would like to see the hospital in the City, but the hospital said that the intersection of Stanislaus would cost too much money to improve even though the City had a grant to pay for half of it. If the project goes in and the City reroutes those trucks to Gardner Lane and the road starts to deteriorate because those trucks are heavy, who will be responsible for repairing the road.

City Engineer, Mr. Myers stated that both Gardner Lane and Dogtown Road are collector streets and the City is responsible for maintaining those roads.

Peter Oliver-966 Chardonay in Murphys

Mr. Oliver stated is there a way to time the signal lights between Murphys Grade and Hwy 4 to help the flow of traffic.

Planning Director Hanham stated in our discussions with Caltrans dealt with all different scenarios, possible signal light at Dogtown Road, possible left turn in but not a left turn out, possible pork chop there, improvements to Gardner Lane, possible opening of Clifton Lane, there were many ideas brought to the table. The City takes this matter very seriously and wants to make the best decision possible. There is a lot of growth potential at the Dogtown intersection because there is a lot of vacant land off of Dogtown Road.

Mr. Doss stated that the Mark Twain Health Care District is not a developer; they are a public entity and are owned by the people in this room. They greatly appreciate the comments of the public but

they are still urging the commission to pass this project, they appreciate the time that staff and the commission have put into this process.

Karen Boyd-805 Dogtown Road

Ms. Boyd stated that Gardner Lane is a highly residential area with a lot of young kids, and the breaking distance on these large trucks is huge. The City needs to look back at when the bypass was originally processed because she knows that there were issues at the time with Roller's trucks going down Gardner Lane.

John Airola-1375 Dogtown Road

Mr. Airola stated the Highway Patrol has already had issued warnings to the big trucks turning left at KFC, they believe that area isn't large enough for the big trucks to make those turns safely. Someone needs to notify the people of Gardner Lane that the road is now the new truck route if this is passed.

PUBLIC HEARING CLOSED 8:48pm

Chair Broeder asked if there has been exparte communication with the applicant.

Commissioners Gonzales and Rudolph stated no.

Commissioner Behiel stated that he has met in social situations with the applicant and some discussion took place but it was always general in nature.

Commissioner Collins stated that he has had social engagements with the applicant but the project was not discussed.

Chair Broeder stated that he had a dinner engagement with a member of the foundation but the project was not discussed.

Commissioner Collins stated that the clinic will improve the area, bring more jobs, increase tax base, the intersection is already dangerous and he believes Caltrans will do something with that intersection if the project happens or not. Mitigation needs to happen there before an accident happens there. The City has done a great job with this project and has spent a lot of time on this. Aspen Street has done a wonderful job and the setbacks of the building are very generous and the landscaping is compatible. He believes that it is important that staff recommends approval of this project and that the commission has faith in the staff. There is a Caltrans study for \$150,000 that is a joint effort between Caltrans and the City to look at this intersection. He believes that the commission can do something positive now by approving the project and with the study happening there will be a solution to the problem of the big trucks and he is in favor of passing the project.

Commissioner Behiel stated that the medical center is not the problem; it is a use that fits well in the area and has a light impact of traffic. Traffic is a problem now, it will be problem if the project is there or not. For the commission not to support this project is like taking away rights of property owners on Dogtown telling them that they won't be able to develop their property.

He is in favor of the project, and is concerned with the trucks on Gardner Lane, if they can make the turn or not on to Murphys Grade Road. He is happy about the medical center; about the care that it will bring to the area, the jobs, and everything they bring to the community is all very positive. He believes it is wrong to make the City's traffic problems stop any development on Dogtown Road. He is ok with continuing the hearing but is also comfortable enough to move forward.

Commissioner Gonzales stated that she agrees with a lot of what has been said, but is concerned with people turning left, for people's livelihoods, and for the children on Gardner Lane and Bret Harte High School area. She doesn't see holes in the mitigations or the initial study but she would like some answers to the issue of the larger trucks before she could support the project.

Commissioner Rudolph stated that the hospital project is a wonderful plan and it brings jobs to our community. She is not comfortable pushing it forward without answers for the large trucks. Cutting off access, affecting people's livelihoods, and protecting the safety of the children should be our first priority. She believes that the project should go forward eventually but the intersection issues need to be taken care of first before the first shovel hits the ground.

Chair Broeder stated that he is in agreement with everyone that said something positive about the project. He was ready to vote yes until he heard from the people that have large trucks that use Dogtown Road. Since it is going to be a year and a half before construction would start that we have some time to figure out how we can reroute the trucks. The traffic on that intersection is going to be bad no matter what the commission does. Denying that medical center to build there won't solve the traffic problem that already exists. He is considering continuing this for a short time so that we can get a solution for the Dogtown residents with large trucks. Chair Broeder asked staff what options does the commission have at this point.

Planning Director Hanham stated that there are a number of options: 1. The commission can make a motion to adopt the two Resolutions. 2. The commission can make a motion to continue the hearing to a date specific. 3. The commission can make a motion to deny the project. The Planning Director stated that he would like the commission to take action on each resolution separately.

Chair Broeder asked what is the timing on the Partnership Planning Grant to help find a solution for that intersection.

Planning Director Hanham stated that the grant could take up to 16 months to process.

Chair Broeder stated that his opinion is that, if it is going to take 18 months to start construction and 16 months for the grant process, the City has adequate time to find a solution and he would be in favor of passing both resolutions tonight.

Commissioner Behiel stated that he believes that the City can find a solution to this issue in the next 18 months. Staff has compiled many hours with the project along with other agencies and the commission's time. He would like to push this forward and let Council have these

discussions and hopefully by the time it goes to Council there will be more answers about the route in which the trucks can take.

MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER COLLINS TO ADOPT RESOLUTION 2014-07 A RESOLUTION OF THE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT, SITE PLAN, INITIAL STUDY, MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR PROJECT 13-33 DIGNITY HEALTH MARK TWAIN MEDICAL CENTER LOCATED AT 170 DOGTOWN ROAD (APN 057-021-024 & 058-017-023) AND CARRIED BY THE FOLLOWING ROLL CALL VOTE.

**COMMISSIONER COLLINS YES
COMMISSIONER BEHIEL YES
COMMISSIONER RUDOLPH NO
COMMISSIONER GONZALES NO
CHAIR BROEDER YES
MOTION PASSES WITH A 3-2 VOTE.**

Commissioner Gonzales would like to correct the title of Resolution 2014-08, after "Initial Study" in the title, add "Mitigation Monitoring Program". In the first Whereas, add "Initial Study, and Mitigation Monitoring Program" after "Mitigated Negative Declaration".

MOTION BY COMMISSIONER BEHIEL AND DULY SECONDED BY COMMISSIONER COLLINS TO ADOPT RESOLUTION 2014-08 A RESOLUTION RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A GENERAL PLAN AMENDMENT, REZONE, MITIGATED NEGATIVE DECLARATION, INITIAL STUDY, AND MITIGATION MONITORING PROGRAM FOR PROJECT 13-33 DIGNITY HEALTH MARK TWAIN CENTER LOCATED AT 170 DOGTOWN ROAD (APN 057-021-024 & 058-017-023) AND CARRIED BY THE FOLLOWING ROLL CALL VOTE AS AMENDED.

**COMMISSIONER GONZALES NO
COMMISSIONER RUDOLPH NO
COMMISSIONER BEHIEL YES
COMMISSIONER COLLINS YES
CHAIR BROEDER YES
MOTION PASSES WITH A 3-2 VOTE.**

Planning Director Hanham stated that minutes of this meeting and your last meeting would be presented at the June meeting.

Commissioner Behiel wanted to thank the people of Dogtown Road for letting them know about the larger trucks and the issues that they will have. The Council will see that there was a 3-2 vote and that the commission had some reservations on that issue so there will be more discussion at the Council level and he wants to thank everyone for their input.

MEETING WAS ADJOURNED AT 9:15 p.m.

ATTEST:


Jennifer Preston, Deputy City Clerk


John Broeder, Chairman